

TRANSPORTATION DEPARTMENT[761]

Adopted and Filed

Rule making related to federal transit assistance

The Department of Transportation hereby amends Chapter 922, “Federal Transit Assistance,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is adopted under the authority provided in Iowa Code sections 307.12 and 307A.2.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code sections 324A.4 and 324A.6.

Purpose and Summary

The amendment to this chapter:

- Reflects the current federal transit program names and updates or includes descriptions of these federal transit funding sources that the Department receives for distribution. Program names and United States Code sections for the former Section 16 and Section 18 of the Federal Transit Act have been updated: Section 16 is renamed Section 5310 and Section 18 is renamed Section 5311. A new paragraph to subrule 922.1(1) detailing the transit capital funding source, Section 5339, has also been added.
- Updates who is designated by the Governor to administer these federal programs that are subject to review by the Federal Transit Administration (FTA). The Department is responsible for the administration of these transit programs rather than the Transportation Commission. The Transportation Commission’s role is to award funds from these programs when they are not allocated by formula.
- Makes changes to the subrule concerning the state management plan to reflect the current federal transit programs and current name and date of the Iowa state management plan, to correct the relevant FTA circulars, and to update the Department’s contact information to include the correct office name and add a telephone number and a website address.

Public Comment and Changes to Rule Making

Notice of Intended Action for this rule making was published in the Iowa Administrative Bulletin on January 3, 2018, as **ARC 3536C**. No public comments or requests for oral presentations were received. No changes from the Notice have been made.

Adoption of Rule Making

This rule making was adopted by the Department on February 13, 2018.

Fiscal Impact

This rule making has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

Any person who believes that the person’s circumstances meet the statutory criteria for a waiver may petition the Department for a waiver under 761—Chapter 11.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

Effective Date

This rule making will become effective on April 18, 2018.

The following rule-making action is adopted:

Amend rule 761—922.1(324A) as follows:

761—922.1(324A) Projects for nonurbanized areas and private nonprofit transportation providers.

922.1(1) General information.

a.—~~Section 18 of the Federal Transit Act established a program of federal financial assistance for support of public transportation projects in areas outside urbanized areas of 50,000 or more population as defined by the U.S. Census Bureau.~~

b. a. ~~Section 16 of the same Act~~ 5310 of Title 49 United States Code established the enhanced mobility of seniors and individuals with disabilities program, a program of federal financial assistance for support of capital acquisitions for private nonprofit providers of specialized transportation services for ~~elderly~~ seniors and ~~handicapped~~ persons with disabilities.

b. Section 5311 of Title 49 United States Code established the formula grants for rural areas program, a program of federal financial assistance for support of public transportation in rural areas with populations of less than 50,000, as defined by the U.S. Census Bureau.

c. Section 5339 of Title 49 United States Code established the bus and bus facilities program, a program of federal financial assistance for support of capital acquisitions for public transportation providers.

e. d. As required by ~~the Federal Transit Act~~ Title 49 United States Code, the ~~Iowa transportation commission~~ department has been designated by the governor to administer ~~both these~~ programs within Iowa, subject to review by the Federal Transit Administration (FTA).

922.1(2) State management plan.

a. Sections ~~16 and 18~~ 5310, 5311 and 5339 of Title 49 United States Code federal transit assistance programs within Iowa shall be administered according to ~~Iowa's the "Iowa State Management Plan for the Section 16 and 18 FTA Programs Administration of Funding and Grants Under the Federal Transit Administration, Sections 5310, 5311, 5316, 5317 and 5339 Programs," dated July 1, 1993~~ March 2017, which has been prepared by the department and approved by the Federal Transit Administration in conformance with FTA Circulars ~~9040 and 9070.1C~~ 5100.1, 9040.1G and 9070.1G.

b. Copies of the state management plan are available ~~upon request from: Air and Transit Division~~ the Office of Public Transit, Iowa Department of Transportation, 800 Lincoln Way, Ames, Iowa 50010; telephone (515)233-7870; or the department's website at www.iowadot.gov.

This rule is intended to implement Iowa Code chapter 324A.

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EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 3/14/18.